

# Wetlands Bureau Decision Report

WAB Review  
12/17/12

Decisions Taken  
12/10/2012 to 12/16/2012

## **DISCLAIMER:**

This document is published for information purposes only and does not constitute an authorization to conduct work. Work in jurisdiction may not commence until the applicant has received a posting permit.

Decisions are subject to appeal, and are reviewed by the federal agencies for compliance with Section 404 of the Federal Clean Water Act.

## **APPEAL:**

I. Any affected party may ask for reconsideration of a permit decision in accordance with RSA 482-A:10,II within 30 days of the Department's issuance of a decision. Requests for reconsideration should:

- 1) describe in detail each ground for complaint. Only grounds set forth in the request for reconsideration can be considered at subsequent levels of appeal;
- 2) provide new evidence or information to support the requested action;
- 3) Parties other than the applicant, the town, or contiguous abutters must explain why they believe they are affected; and
- 4) Be mailed to the DES Wetlands Bureau, PO Box 95, Concord, NH 03302-0095.

II. An appeal of a decision of the department after reconsideration may be filed with the Wetlands Council in accordance with RSA 482-A:10, IV within 30 days of the department's decision. Filing of the appeal must:

- 1) be made by certified mail to George "Chip" Kimball, Chairperson, Wetlands Council, PO Box 95, Concord, NH 03302-0095 (a copy should also be sent to the DES Wetlands Bureau);
- 2) contain a detailed description of the land involved in the department's decision; and
- 3) set forth every ground upon which it is claimed that the department's decision is unlawful or unreasonable.

## MAJOR IMPACT PROJECT

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### 2012-02946                      PICK POINT LODGES TUFTONBORO   Lake Winnepesaukee

#### Requested Action:

Impact 1,519 sq. ft. of shoreline in order to expand an existing 35 ft. 4 in. x 44 ft. 6 in boathouse over public waters to provide a 37 ft. long boat slip on Lake Winnepesaukee, in Tuftonboro.

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#### Conservation Commission/Staff Comments:

11/7/12 Con. Com. has no objections.

#### DENY PERMIT:

Impact 1,519 sq. ft. of shoreline in order to expand an existing 35 ft. 4 in. x 44 ft. 6 in boathouse over public waters to provide a 37 ft. long boat slip on Lake Winnepesaukee, in Tuftonboro.

#### With Findings:

#### Standards for Approval

1. In accordance with Rule Env-Wt 402.21, Modification of Existing Structures, The department shall not approve any change in size, location, or configuration of an existing structure unless the applicant demonstrates, and the department finds, that the modification is less environmentally-impacting or provides for fewer boat slips and less construction surface area over public submerged lands than the current configuration.
2. Pursuant to RSA 482-A:2, Definitions, VIII, on Lake Winnepesaukee, "Boat slip" means a volume of water 25 feet long, 8 feet wide, and 3 feet deep as measured at normal high water and located adjacent to a structure to which a watercraft may be secured.
3. In accordance with Rule Env-Wt 402.09, "Structures Disallowed, (a), boathouses located in or over the waters shall not be approved."
4. Pursuant to Rule Env-Wt 402.13, Frontage Over 75', a minimum of 75 ft. of shoreline frontage is required for the first 2-slip docking structure and an additional 75 ft. of shoreline frontage is required for each additional boating slip or securing location on a structure for non-commercial use.
5. In accordance with Env-Wt 302.04, Requirements for Application Evaluation, (a), (1), for any major or minor project, the applicant shall demonstrate by plan and example the need for the proposed project is considered in the project's design in assessing the impact of the proposed project to areas and environments under the department's jurisdiction.
6. In accordance with Env-Wt 302.04, Requirements for Application Evaluation, (a),(2), for any major or minor project, the applicant shall demonstrate that the alternative proposed by the applicant is the one with the least impact to wetlands or surface waters on site.

#### Findings of Fact

1. On November 05, 2012, the Wetlands Bureau received a Standard Dredge and Fill Application to expand an existing 35 ft. 4 in. x 44 ft. 6 in over public water to provide a 37 ft. long boat slip on Lake Winnepesaukee, in Tuftonboro. The proposal includes construction of a 265 sq. ft. addition on the landward side of the boathouse to extend the length of the center slip from 30 ft. 7 in. to more than 37 ft.
2. The existing 35 ft. 4 in. x 44 ft. 6 in boathouse provides two 28 ft. 9 in. long slips and one 30 ft. 7 in. long slip located within the boathouse and 2 slips located on the outside of the boathouse for a total of 5 slips.
3. In addition to the boathouse, the existing docking structures on this frontage include two complex seasonal docking structures.
5. The combined docking structures on this frontage provide a total of 27 slips as defined pursuant to RSA 482-A:2, on this frontage.
6. The applicant submitted information indicating that the subject property has 1,830 feet of shoreline frontage. Pursuant to Rule Env-Wt 402.13, not more than 25 slips may be permitted on 1,830 ft. of shoreline frontage.

### Rulings in Support of Denial

1. The existing boathouse fails to conform to Rule Env-Wt 402.09 and, therefore, any modification of the boathouse must meet the requirements of Rule Env-Wt 402.21. The project as proposed will not reduce the number of slips provided nor will it reduce the constructed surface area over public submerged lands, therefore, the application is denied because the requirements of Env-Wt 402.21 have not been met.
2. The existing docking structures already provide 27 boat slips on frontage that is only sufficient to support 25 slips. Modification of the docking facilities to expand the slips provided on the frontage fails to meet the requirements of Rule Env-Wt 402.13. Therefore the application is denied.
3. The Applicant failed to demonstrate the need for the proposed impact, therefore pursuant to Rule Env-Wt 302.04, the application is denied.
4. The Applicant has not demonstrated to the Department's satisfaction that the alternative proposed is the least impacting alternative solution to accommodate the Applicant's 37 ft boat therefore the application is denied in accordance with Env-Wt 302.04(a), (2).

### MINOR IMPACT PROJECT

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2012-00732                      ATKINSON, TOWN OF  
ATKINSON    Unnamed Stream

#### Requested Action:

Retain approximately 1,350 square feet of impact (1,150 square feet of temporary impact and 200 square feet of permanent impact) to an unnamed perennial stream and palustrine emergent wetland for the installation of twin 30-inch HDPE culverts, replacement headwalls, and necessary erosion stone on sides slopes to provide proper flow and safe vehicular passage.

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#### APPROVE AFTER THE FACT:

Retain approximately 1,350 square feet of impact (1,150 square feet of temporary impact and 200 square feet of permanent impact) to an unnamed perennial stream and palustrine emergent wetland for the installation of twin 30-inch HDPE culverts, replacement headwalls, and necessary erosion stone on sides slopes to provide proper flow and safe vehicular passage.

#### With Conditions:

1. Any future work on this property that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require approval by the Bureau.

#### With Findings:

1. This project had been given previous approval by DES through an Emergency Authorization issued on 3/29/12.
2. This is a minor impact project per Administrative Rule Env-Wt 303.03(l) Projects that alter the course of or disturb less than 200 linear feet of an intermittent or perennial nontidal stream or river channel or its banks and do not meet the criteria for minimum impact under Env-Wt 303.04(n).
3. In March 2012, the culverts beneath Brandon Road had deteriorated and began to fail; therefore, the need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
4. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
5. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.

6. No comments were submitted from the NHFG Nongame and Endangered Wildlife Program or the Natural Heritage Bureau.
7. The replacement culverts have been designed in accordance with Env-Wt 904.06(a).

2012-01858

**DREW III, FREDERICK**

**BARRINGTON Unnamed Wetland**

Requested Action:

Dredge and fill a total of 6,050 square feet of wetlands for construction of roadway crossings for a 64-lot subdivision on 117 acres with 48 acres of open space, including 2,410 square feet of impact and installation of twin 36" x 38' culverts; 2,100 square feet of impact and installation of twin 24" x 49' culverts; and 1,540 square feet of impact and installation of a 36" x 49' culvert.

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APPROVE PERMIT:

Dredge and fill a total of 6,050 square feet of wetlands for construction of roadway crossings for a 64-lot subdivision on 117 acres with 48 acres of open space, including 2,410 square feet of impact and installation of twin 36" x 38' culverts; 2,100 square feet of impact and installation of twin 24" x 49' culverts; and 1,540 square feet of impact and installation of a 36" x 49' culvert.

With Conditions:

1. All work shall be in accordance with plans and materials by Beals Associates dated June 2012, as received by the NH Department of Environmental Services (DES) on 7/13/2012, and on 11/2/2012.
2. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback.
3. The deed which accompanies the sales transaction for each of the lots in this subdivision shall contain condition #2 of this approval.
4. This permit shall not be effective until it has been recorded with the county Registry of Deeds Office by the Permittee. A copy of the recorded permit shall be submitted to the DES Wetlands Bureau, by certified mail, return receipt requested.
5. This permit is contingent on approval by the DES Subsurface Systems Bureau.
6. Pursuant to recommendations by NH Fish & Game Department ("NHFG") relative to protection of Blanding's turtles the following shall apply:
  - a. there shall be no cutting of trees or their canopies around the vernal pools on the property to protect the shade ability of the trees;
  - b. personnel working on the job site shall be made aware of the potential to encounter Blanding's and spotted turtles, particularly during May and June, and shall report any encounters to the NHFG Nongame and Endangered Wildlife Program.
7. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
8. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized.
9. Within three days of final grading, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
10. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.
11. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Slopes steeper than 3:1 shall be stabilized by matting and pinning.
12. Silt fencing must be removed once the area is stabilized.
13. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).

With Findings:

1. This is a minor impact project per Administrative Rule Env-Wt 303.03(h), projects involving less than 20,000 square feet of alteration in the aggregate of non-tidal wetlands.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01. The applicant must cross wetlands to access buildable uplands.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas

and environments under the department's jurisdiction per Env-Wt 302.03. The project was redesigned so that the vernal pool noted on the property would be located in a designated open space area, not on a lot intended to be developed; wildlife corridor and buffer areas have also been set aside as open space, and the designated prime wetland on the property is also protected in the open space area.

4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project. Recommendations of NH Fish & Game Department for protection of Blanding's turtles possibly located in the vicinity of the site have been incorporated into permit conditions.

5. The Barrington Conservation Commission did not report.

**2012-01871                      ENFIELD, TOWN OF**  
**ENFIELD   Mascoma Lake**

**Requested Action:**

Rip rap approximately 1490 sq. ft. of bank to protect a sewer utility adjacent to Mascoma Lake, Enfield.

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**Conservation Commission/Staff Comments:**

Con Com signed Wetland Application

**DENY PERMIT-INSUFFICIENT & UNTIMELY RESP:**

Rip rap approximately 1490 sq. ft. of bank to protect a sewer utility adjacent to Mascoma Lake, Enfield.

**With Findings:**

1. A request for additional information dated September 13, 2012, addressed to the applicant or agent of record, clearly identified the requirement that the applicant to submit additional information to DES within 60 days of the request.
2. Pursuant to RSA 482-A:3, XIV(a)(1), if the requested additional information is not received by DES within 60 days of the request, DES shall deny the application.
3. DES did not receive the requested additional information within the 60 days and therefore the application has been denied.

**2012-02391                      EVANS, PAMELA/RONALD**  
**SANBORNTON   Winnisquam Lake**

**Requested Action:**

Repair existing retaining wall at shoreline in kind, in the dry, during draw down, +/- 46 lf x 2 ft. high, extend end of existing docking structure 8' x 6' or 48 sf., Lake Winnisquam.

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**Conservation Commission/Staff Comments:**

Con Com did not submit comments by Sept 27, 2012

**DENY PERMIT-INSUFFICIENT & UNTIMELY RESP:**

Repair existing retaining wall at shoreline in kind, in the dry, during draw down, +/- 46 lf x 2 ft. high, extend end of existing docking structure 8' x 6' or 48 sf., Lake Winnisquam.

**With Findings:**

1. A request for additional information dated September 27, 2012, addressed to the applicant or agent of record, clearly identified the requirement that the applicant to submit additional information to DES within 60 days of the request.
2. Pursuant to RSA 482-A:3, XIV(a) (1), if the requested additional information is not received by DES within 60 days of the request, DES shall deny the application.
3. DES did not receive the requested additional information within the 60 days and therefore the application has been denied.

**2012-02891                      BAKER, CINDI/STEVE**  
**NEW CASTLE    Piscataqua River**

**Requested Action:**

Impact a total of 4,438 sq. ft. (2,110 sf permanent & 2,328 sf temporary construction impacts) in the previously developed upland tidal buffer zone for work associated with the replacement of the existing single family dwelling and appurtenant landscaping within 50 feet of a salt marsh.

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**Conservation Commission/Staff Comments:**

The New Castle Conservation Commission states that they are "OK" with the project based on revised plans received which includes details on pervious surfaces.

**APPROVE PERMIT:**

Impact a total of 4,438 sq. ft. (2,110 sf permanent & 2,328 sf temporary construction impacts) in the previously developed upland tidal buffer zone for work associated with the replacement of the existing single family dwelling and appurtenant landscaping within 50 feet of a salt marsh.

**With Conditions:**

1. All work shall be in accordance with plans by Ambit Engineering, Inc. dated September 2012 (last revised 11/30/2012), as received by the NH Department of Environmental Services (DES) on December 12, 2012.
2. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and/or further permitting by the Bureau.
3. DES Wetlands Bureau Southeast Region staff and the New Castle Conservation Commission shall be notified in writing prior to commencement of work and upon its completion.
4. All activities shall be in accordance with the Shoreland Water Quality Protection Act, RSA 483-B. The owner is responsible for obtaining any Shoreland Permit that may be required per RSA 483-B, for construction, excavation or fill that will occur within the Protected Shoreland.
5. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.

**With Findings:**

1. This is a minor impact project per Administrative Rule Env-Wt 303.03(b), projects that involve work within 50 feet of a salt marsh that do not meet the criteria of Env-Wt 303.02
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.

**MINIMUM IMPACT PROJECT**

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**2012-02608                      UNITIL**  
**PORTSMOUTH    Unnamed Wetland**

Requested Action:

Temporarily impact 2,640 square feet (660 linear feet x 4' wide) of developed upland buffer to City of Portsmouth Prime Wetland 3A to install a 6" gas pipeline. Pursuant to RSA 482-A:11, IV, waive the project status of Major and waive the associated process for projects in the prime wetlands buffer due to the minimal, temporary nature of the project.

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APPROVE PERMIT:

Temporarily impact 2,640 square feet (660 linear feet x 4' wide) of developed upland buffer to City of Portsmouth Prime Wetland 3A to install a 6" gas pipeline. Pursuant to RSA 482-A:11, IV, waive the project status of Major and waive the associated process for projects in the prime wetlands buffer due to the minimal, temporary nature of the project.

With Conditions:

1. All work shall be in accordance with plans by amec - Environment & Infrastructure dated 8/29/2012, as received by the NH Department of Environmental Services ("DES") on 9/26/2012.
2. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
3. The applicant shall notify in writing the DES Wetlands Bureau and the Conservation Commission of his/her intention to start construction no less than five (5) business days prior to the commencement of construction.
4. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
5. Erosion controls shall be properly installed and maintained and the construction sequence shall be performed in accordance with the approved plans. It is the responsibility of the permittee to ensure that the erosion controls are adequate for the site.
6. A land resource professional shall inspect the project to insure compliance with approved plans and permit conditions prior to completion of the project. A post-construction report documenting the status of the completed project with photographs shall be submitted to the Wetlands Bureau within 60 days of the completion of construction.
7. Within three days of final grading or temporary suspension of work, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
8. Area shall be regraded to original contours following completion of work.

With Findings:

1. This project is deemed a minimum impact project per Administrative Rule Env-Wt 303.04(o), in response to the applicant's request to waive the the project categorization of Major.
2. Pursuant to RSA 482-A:11, IV, the associated prime wetlands permitting process is waived, for projects occurring within 100 feet of a designated prime wetland. Portsmouth Prime Wetlands 3A (the "Great Bog") was designated with primary functions of largest size wetland at 542 acres, and as rare plant species habitat.
3. The applicant has demonstrated that the project represents temporary disturbance in an existing urban roadway shoulder for necessary installation of a public utility gas pipeline, and that, as the project is not located within the Great Bog it will not affect the size of the prime wetland, primary function number one.
4. Further, the NH Heritage Bureau ("NHB") reports that as the project is occurring outside the (prime) wetland in a previously disturbed area, that the NHB is able to dismiss concerns relative the potential of the project to affect the rare species or exemplary community, primary function number two.
5. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01. The utility needs to install a gas line at this location to provide public gas service.
6. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03. The work is limited to temporary impact in the existing road shoulder to install a 6" gas line.
7. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project, as well at the criteria for approval for projects in or adjacent to prime wetlands pursuant to Env-Wt 703.01.
8. The Portsmouth Conservation Commission reviewed, and recommends approval of the project.

**2012-03010 NH DEPT OF ENVIRONMENTAL SERVICES  
FRANKLIN Webster Lake**

**Requested Action:**

Fill 1,530 sq. ft. pond bed/bank (temporary impact) "Chance Pond" to construct a coffer dam and resurface the concrete dam spillway.

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**APPROVE PERMIT:**

Fill 1,530 sq. ft. pond bed/bank (temporary impact) "Chance Pond" to construct a coffer dam and resurface the concrete dam spillway.

**With Conditions:**

1. All work shall be in accordance with plans by State of New Hampshire, DES Dam Bureau dated October 16, 2012 and October 17, 2012, as received by the NH Department of Environmental Services (DES) on November 15, 2012.
2. The project shall be designed and supervised by a licensed professional engineer.
3. Work shall be done during drawdown.
4. Cofferdams shall not be installed during periods of high flow, whether due to seasonal runoff or precipitation. Once a cofferdam is fully effective, confined work can proceed without restriction.
5. Prior to commencing work on a substructure located within surface waters, a cofferdam shall be constructed to isolate the substructure work area from the surface waters.
6. Temporary cofferdams shall be entirely removed immediately following construction.
7. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
8. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
9. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
10. Within three days of final grading, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
11. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.
12. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Slopes steeper than 3:1 shall be stabilized by matting and pinning.
13. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
14. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
15. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid. Faulty equipment shall be repaired immediately.
16. The contractor shall have appropriate oil spill kits on site and readily accessible at all times during construction and each operator shall be trained in its use.
17. All refueling of equipment shall occur outside of surface waters or wetlands.

**With Findings:**

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(l) Temporary cofferdams and other water control devices constructed in flowing water or adjacent to dams in conjunction with the repair or maintenance of existing structures. Temporary cofferdams means temporary watertight enclosures built in the water and pumped dry to expose the bottom so that construction may be undertaken. All such work shall be designed and supervised by a professional engineer and shall be removed upon completion of repair and/or maintenance; and Administrative Rule Env-Wt 303.04 (x) Maintenance, repair, or



replacement of a nondocking structure such as a culvert, headwall, bridge, dam, residential utility line, or rip-rap slope of less than 50 linear feet, provided:

- (1) No change in location, configuration, construction type, or dimensions is proposed;
  - (2) Any stream crossing work qualifies as minimum impact under Env-Wt 903.01(e)(2) or (3); and
  - (3) The applicant certifies in writing that the structure, in its current location, configuration, construction type and dimensions:
    - a. Was previously permitted by the department and has not been abandoned; or
    - b. Would be considered grandfathered under Env-Wt 101.47 and has not been abandoned;
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
  3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
  4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

#### FORESTRY NOTIFICATION

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**2012-02997                      CAMP TECUMSEH**  
**MOULTONBOROUGH   Unnamed Stream**

COMPLETE NOTIFICATION:  
Moultonborough, Tax Map #212, Lot #1

**2012-03116                      MERRIAM FARM INC**  
**WALPOLE   Unnamed Stream**

COMPLETE NOTIFICATION:  
Walpole, Tax Map #3, Lot #50

**2012-03117                      MERRIAM FARM INC**  
**SURRY   Unnamed Stream**

COMPLETE NOTIFICATION:  
Surry, Tax Map #4, Lot #21

**2012-03161                      SCHOTT, JOHN**  
**FRANCESTOWN   Unnamed Stream**

COMPLETE NOTIFICATION:  
Francestown, Tax Map #5, Lots #32, 33, 34

**2012-03180                      PRATT-OTTO ET AL, STEPHEN**  
**BRADFORD   Unnamed Stream**

COMPLETE NOTIFICATION:  
Bradford, Tax Map #4, Lots #35, 35A

**2012-03184                      ROBERT S GROVES TRUST**  
**HANCOCK   Unnamed Stream**

COMPLETE NOTIFICATION:  
Hancock, Tax Map #R-6, Lot #7

**2012-03192                      SARGENT, FRED**  
**TUFTONBORO   Unnamed Stream**

COMPLETE NOTIFICATION:  
Tuftonboro, Tax Map #31, Lot #1-2

**2012-03193                      CITY OF CLAREMONT**  
**CLAREMONT   Unnamed Stream**

COMPLETE NOTIFICATION:  
Claremont, Tax Map #62, Lots #5, 6

**2012-03194                      FRANCIS L DANZE JR IRREVOCABLE TRUST**  
**EPSOM   Unnamed Stream**

COMPLETE NOTIFICATION:  
Epsom, Tax Maps #R09, R04, Lots #52, 3

**2012-03195                      TOWN OF JAFFREY**  
**RINDGE   Unnamed Stream**

COMPLETE NOTIFICATION:  
Rindge, Tax Map #11, Lot #20

**2012-03203                      KNERR, DONALD**  
**CANAAN   Unnamed Stream**

COMPLETE NOTIFICATION:  
Canaan, Tax Map #6, Lot #29

**2012-03206                      LYNCH, GREG**  
**LEMPSTER   Unnamed Stream**

COMPLETE NOTIFICATION:

Lempster, Tax Map #227, Lot #0230

**2012-03208                      TOWN OF GILMANTON**  
**GILMANTON   Unnamed Stream**

COMPLETE NOTIFICATION:  
Gilmanton, Tax Map #406, Lot #1

**2012-03213                      TOWN OF WARNER**  
**WARNER   Unnamed Stream**

COMPLETE NOTIFICATION:  
Warner, Tax Map #18, Lot #15

**2012-03214                      STAVE, ROBERT**  
**NEW DURHAM   Unnamed Stream**

COMPLETE NOTIFICATION:  
New Durham, Tax Map #204, Lot #001

**2012-03216                      MAKI, MATT**  
**CLAREMONT   Unnamed Stream**

COMPLETE NOTIFICATION:  
Claremont, Tax Map #122, Lot #3

**2012-03217                      LORD, STEVE**  
**SUTTON   Unnamed Stream**

COMPLETE NOTIFICATION:  
Sutton, Tax Map #2, Lots #190, 373

**2012-03218                      LANTAGNE, BERNARD**  
**BATH   Unnamed Stream**

COMPLETE NOTIFICATION:  
Bath, Tax Map #3, Lot #7

**2012-03220                      13 MILE WOODS ASSOCIATION INC**  
**ERROL   Unnamed Stream**

COMPLETE NOTIFICATION:  
Errol, Tax Map #R4, Lot #15

**2012-03222                      13 MILE WOODS ASSOCIATION INC**  
**CAMBRIDGE   Unnamed Stream**

COMPLETE NOTIFICATION:  
Cambridge, Tax Map #1619, Lot #9

**EXPEDITED MINIMUM**

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**2012-02888                      VERNON, JEREMIAH**  
**NEW LONDON**

Requested Action:

Dredge and fill 2,400 square feet of palustrine forested wetlands and intermittent stream to install three 12-inch x 20-foot culverts (crossing 1) and a 24-inch x 30-foot culvert (crossing 2) for driveway access to a single lot of a 2-lot subdivision on 44.8 acres and a 7.57 acre annex.

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APPROVE PERMIT:

Dredge and fill 2,400 square feet of palustrine forested wetlands and intermittent stream to install three 12-inch x 20-foot culverts (crossing 1) and a 24-inch x 30-foot culvert (crossing 2) for driveway access to a single lot of a 2-lot subdivision on 44.8 acres and a 7.57 acre annex.

With Conditions:

1. All work shall be in accordance with plans by Pennyroyal Hill Land Surveying & Forestry, LLC, dated October 2, 2011, and narrative by J.W. Ohler Excavating dated March 20, 2012, as received by the Department on October 29, 2012, and plans.
2. There shall be no further alteration of wetlands or streams for lot development, driveways, culverts, or for septic setback.
3. The deed which accompanies the sales transaction for each of the lots in this subdivision shall contain condition # 2 of this approval.
4. Work shall be done during low flow conditions and in the dry.
5. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to surface waters and wetlands.
6. Appropriate siltation/erosion controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
7. Orange construction fencing shall be placed at the limits of construction within or directly adjacent to wetlands or surface waters to prevent accidental encroachment on wetlands.
8. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
9. Proper headwalls shall be constructed within seven days of culvert installation.
10. Culverts shall be laid at original grade.
11. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
12. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(f), Projects involving alteration of less than 3,000 square feet in swamps and Env-Wt 303.04(x), Maintenance, repair, or replacement of a nondocking structure such as a minimum

impact stream culvert.

2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

2012-03004

TWELVE MONTH LLC

GREENLAND

Requested Action:

Temporarily impact 156 square feet within the bank of an existing man-made pond to install a dry hydrant to provide fire protection to a 19-lot residential subdivision of 32.217 acres with 20.038 acres as open space.

\*\*\*\*\*

APPROVE PERMIT:

Temporarily impact 156 square feet within the bank of an existing man-made pond to install a dry hydrant to provide fire protection to a 19-lot residential subdivision of 32.217 acres with 20.038 acres as open space.

With Conditions:

1. All work shall be in accordance with plans by Doucet Survey, Inc. dated Oct. 23, 2012, as received by the NH Department of Environmental Services (DES) on December 11, 2012.
2. Additional expedited minimum impact applications shall be accepted for the subject property for a period of 12 months only if the applicant demonstrates by plan that the additional project(s) are wholly unrelated or separate from the original application and when considered with the original application are not classified as minor or major.
3. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback.
4. The deed which accompanies the sales transaction for each of the lots in this subdivision shall contain condition #3 of this approval.
5. This permit shall not be effective until it has been recorded with the Rockingham County Registry of Deeds Office by the Permittee. A copy of the recorded permit shall be submitted to the DES Wetlands Bureau, by certified mail, return receipt requested.
6. This permit is contingent on approval by the DES Subsurface Systems Bureau.
7. DES Southeast Region staff shall be notified in writing prior to commencement of work and upon its completion.
8. Work shall be done during seasonal low flow conditions.
9. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
10. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
11. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
12. Work authorized shall be carried out such that discharges shall be avoided in spawning or nursery areas during spawning seasons, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
13. Work shall be carried out in a time and manner such that disturbance to migratory waterfowl breeding and nesting areas shall be avoided.
14. Within three days of final grading or temporary suspension of work, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(m) Projects that disturb less than 50 linear feet, measured along the shoreline, of a lake or pond or its bank and do not meet the criteria of Env-Wt 303.03 or Env-Wt 303.02.

2. The dry hydrant is necessary to provide fire protection to the subdivision; therefore, the need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.
5. No comments were submitted from the NHFG Nongame and Endangered Wildlife Program or the Natural Heritage Bureau.
6. The Conservation Commission signed the application waiving their right to intervene pursuant to RSA 482-A:11.
7. The Greenland Deputy Fire Chief has reviewed the plans for the project and finds "the plans were satisfactory."

2012-03028

CLOUGH, JOHN/MARION

NEW CASTLE

Requested Action:

Impact 752 sq. ft. in the previously developed upland tidal buffer zone (TBZ) for work associated with the replacement of a pre-existing dwelling within the existing structural footprint located in the TBZ.

\*\*\*\*\*

Conservation Commission/Staff Comments:

New Castle Conservation Commission signed the minimum impact expedited application on 11/13/2012

APPROVE PERMIT:

Impact 752 sq. ft. in the previously developed upland tidal buffer zone (TBZ) for work associated with the replacement of a pre-existing dwelling within the existing structural footprint located in the TBZ.

With Conditions:

1. All work shall be in accordance with plans by Knight Hill Land Surveying Services, Inc. dated Oct. 24, 2012, as received by the NH Department of Environmental Services (DES) on November 19, 2012.
2. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and/or further permitting by the Bureau.
3. This permit is contingent on approval by the DES Subsurface Systems Bureau.
4. All activities shall be in accordance with the Shoreland Water Quality Protection Act, RSA 483-B. The owner is responsible for obtaining any Shoreland Permit that may be required per RSA 483-B, for construction, excavation or fill that will occur within the Protected Shoreland.
5. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(b), projects within previously developed upland areas within 100 feet of the highest observable tide line.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

2012-03069

DOMINICK D MORE REV TRUST

WAKEFIELD Great East Lake

Requested Action:

Construct a 355 sq. ft. perched beach with less than 10 cubic yards of sand on Great East Lake, Wakefield.

\*\*\*\*\*

Conservation Commission/Staff Comments:

Con Com did not sign Wet application

APPROVE PERMIT:

Construct a 355 sq. ft. perched beach with less than 10 cubic yards of sand on Great East Lake, Wakefield.

With Conditions:

1. All work shall be in accordance with plans by Land Tech dated November 2012, as received by the NH Department of Environmental Services (DES) on November 26, 2012.
2. Dredged or excavated material shall be placed outside of the DES Wetlands Bureau jurisdiction.
3. Stone placed along the beach front for the purpose of retaining sand shall be placed above and/or landward of those rocks currently located along the normal high water line (Elevation 574.3). Those rocks existing at the normal high water line shall remain otherwise undisturbed such that the natural shoreline remains identifiable.
4. The steps installed for access to the water shall be located completely landward of the normal high water line.
5. No more than 10 cu. yds. of sand may be used and all sand shall be located above the normal high water line.
6. This permit shall be used only once, and does not allow for annual beach replenishment.
7. The permittee shall provide appropriate diversion of surface water runoff to prevent erosion of beach area.
8. Revegetation of trees, shrubs and ground covers representing the density and species diversity of the existing stand of vegetation removed for this project shall begin at a distance no greater than 5 feet landward from the beach area.
9. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized.
10. All activities shall be in accordance with the Shoreland Water Quality Protection Act, RSA 483-B. The owner is responsible for obtaining any Shoreland Permit that may be required per RSA 483-B, for construction, excavation or fill that will occur within the Protected Shoreland.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(d), construction of a perched beach with less than 10 cubic yards of sand.

2012-03072

CARMELLO JR, STEPHEN

WAKEFIELD Great East Lake

Requested Action:

Replace 4 ft. x 11 ft. stairs in the bank and place 37 linear feet of coconut coir log with additional planting on the bank, on Great East Lake, Wakefield.

\*\*\*\*\*

Conservation Commission/Staff Comments:

Con Com signed Wet application

APPROVE PERMIT:

Replace 4 ft. x 11 ft. stairs in the bank and place 37 linear feet of coconut coir log with additional planting on the bank, on Great East Lake, Wakefield.

With Conditions:

1. All work shall be in accordance with plans by Fernstone Associates for the Natural Resources dated October 16, 2012, as received by the NH Department of Environmental Services (DES) on November 26, 2012.

2. Repair shall maintain existing size, location and configuration.
3. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
4. This permit does not allow for the removal of any trees on the frontage.
5. All activities shall be in accordance with the Shoreland Water Quality Protection Act, RSA 483-B. The owner is responsible for obtaining any Shoreland Permit that may be required per RSA 483-B, for construction, excavation or fill that will occur within the Protected Shoreland.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(x), repair of existing non-docking structures.

**GOLD DREDGE**

\*\*\*\*\*

**2012-03225                      RAND, BRIAN**  
**(ALL TOWNS) Unnamed Stream**

Conservation Commission/Staff Comments:  
cc Bath ConCom

**TRAILS NOTIFICATION**

\*\*\*\*\*

**2012-03084                      US FISH & WILDLIFE SERVICE**  
**JEFFERSON Mill Brook**

COMPLETE NOTIFICATION:  
Jefferson Tax Map 13 Lot# 16, 17C, 17D.

**ROADWAY MAINTENANCE NOTIF**

\*\*\*\*\*

**2012-03228                      LAKES REGION MOBILE HOME COOPERATIVE**  
**BELMONT Unnamed Stream Unnamed Wetland**

COMPLETE NOTIFICATION:  
Replace 12" culvert.



**PERMIT BY NOTIFICATION**

\*\*\*\*\*

**2012-02179                      SULLIVAN, HELEN**  
**MEREDITH   Lake Winnepesaukee**

Requested Action:

Construction of a 6 ft. x 40 ft. seasonal dock.

\*\*\*\*\*

Conservation Commission/Staff Comments:

Con Com did not sign PBN form

**DENY PERMIT-INSUFFICIENT & UNTIMELY RESP:**

Construction of a 6 ft. x 40 ft. seasonal dock.

With Findings:

1. A request for additional information dated August 14, 2012, addressed to the applicant or agent of record, clearly identified the requirement that the applicant to submit additional information to DES within 20 days of the request.
2. Pursuant to Env-Wt 506.02, if the requested additional information is not received by DES within 20 days of the request, DES shall deny the application.
3. DES did not receive the requested additional information within the 20 days and therefore the application has been denied.

**2012-02651                      ANDERSON, JOHN**  
**ALTON BAY   Lake Winnepesaukee**

Requested Action:

Repair 20 linear ft of retaining wall in the dry.

\*\*\*\*\*

**PBN IS COMPLETE:**

Repair 20 linear ft of retaining wall in the dry.

With Findings:

1. This project qualifies for Permit by Notification per Rule Env-Wt 506.01(a)(2), repair or replacement of an existing retaining wall that meets the criteria in Env-Wt 303.04(c).

**2012-02957                      GIBB, MATTHEW & GLENETT**  
**ALTON   Lake Winnepesaukee**

Requested Action:

Installation of two seasonal PWC lifts adjacent to the existing docking structure.

\*\*\*\*\*

Conservation Commission/Staff Comments:

Con Com signed PBN form

**PBN IS COMPLETE:**

Installation of two seasonal PWC lifts adjacent to the existing docking structure.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(ad), Installation of two seasonal PWC lifts adjacent to the existing docking structure.

**2012-03144**

**THE MARC GRONDAHL REVOCABLE TRUST**

**RYE**

Requested Action:

Impact 40 sq. ft. within wetlands jurisdiction to replace a deteriorated 20 L.F. of 18" CMP culvert under the driveway with a new 18" HDPE culvert and Mortared Rubble Masonry Headwalls.

\*\*\*\*\*

Conservation Commission/Staff Comments:

Rye Conservation Commission signed PBN form

APPROVE PERMIT:

Impact 40 sq. ft. within wetlands jurisdiction to replace a deteriorated 20 L.F. of 18" CMP culvert under the driveway with a new 18" HDPE culvert and Mortared Rubble Masonry Headwalls.

**2012-03196**

**MERRIMACK VALLEY YOUNG MENS ASSOCIATION OF NH INC**

**MEREDITH Lake Winnepesaukee**

Requested Action:

Repair of existing docking structures with no change in size, location or configuration.

\*\*\*\*\*

Conservation Commission/Staff Comments:

Con Com did not sign PBN form

PBN IS COMPLETE:

Repair of existing docking structures with no change in size, location or configuration.

With Findings:

1. This project is classified as a minimum impact project per Rule Env-Wt 303.04(v), repair of existing docking structures with no change in size, location or configuration.

**2012-03198**

**LEVINE, LINDA**

**GILFORD Lake Winnepesaukee**

Requested Action:

Repair of existing docking structures with no change in size, location or configuration.

\*\*\*\*\*

Conservation Commission/Staff Comments:

Con Com did not sign PBN form

PBN IS COMPLETE:

Repair of existing docking structures with no change in size, location or configuration.

With Findings:

1. This project is classified as a minimum impact project per Rule Env-Wt 303.04(v), repair of existing docking structures with no change in size, location or configuration.

**CSPA PERMIT**

\*\*\*\*\*

**2012-01713                      COLEMAN, ANNA/JAMES**  
**MEREDITH Lake Winnepesaukee**

Requested Action:

The Applicant requests that the permit be amended reduce the size of the primary structure addition by 791 sq ft and construct a 780 sq ft detached garage.

\*\*\*\*\*

APPROVE AMENDMENT:

Amend the permit to read: Impact 7,200 sq ft in order to: Remove part of existing drive, stone walks, brick patio, sheds and deck;  
Replace a portion of the existing dwelling;  
Construct a 1,889 sq ft addition to the dwelling;  
Relocate the septic tank;  
Construct a 780 sq ft detached garage and a porous asphalt driveway; and  
Install river-stone lined drip edge trenches.

With Conditions:

1. All work shall be in accordance with revised plans by David M. Dolan, Associates, PC dated November 16, 2012 and received by the NH Department of Environmental Services (DES) on November 21, 2012.
2. This permit is contingent on approval by the DES Subsurface Systems Bureau.
3. No more than 29.5% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
4. All pervious technologies used shall be designed, installed and maintained to effectively absorb and infiltrate stormwater.
5. At least 1,185 sq ft of the Natural Woodland Buffer beyond the primary building setback must remain in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
6. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
7. The proposed stormwater management plan shall be designed, installed and maintained to effectively absorb and infiltrate stormwater.
8. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
9. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
10. Any fill used shall be clean sand, gravel, rock, or other suitable material.
11. This permit shall not preclude DES from taking any enforcement or revocation action if DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

With Findings:

- 1) The project as amended will reduce the area of proposed impervious surfaces by 11 sq ft.

**2012-03001                      DONOGHUE, CECILIA/MICHAEL**  
**SUNAPEE   Sunapee Lake**

**Requested Action:**

Impact 11,525 sq ft in order to construct a pathway to the water, install a pervious patio, and restore the waterfront buffer with plantings.

\*\*\*\*\*

**APPROVE PERMIT:**

Impact 11,525 sq ft in order to construct a pathway to the water, install a pervious patio, and restore the waterfront buffer with plantings.

**With Conditions:**

1. All work shall be in accordance with plans by db Landscaping LLC dated December 2012 and received by the NH Department of Environmental Services (DES) on December 10, 2012.
2. No more than 15.2% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
3. At least 4,088 sq ft of the Natural Woodland Buffer beyond the primary building setback must remain in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
4. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
5. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
6. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
7. Any fill used shall be clean sand, gravel, rock, or other suitable material.
8. This permit shall not preclude DES from taking any enforcement or revocation action if DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

**2012-03002                      IZBICKI, MICHAEL**  
**ANDOVER   Highland Lake**

**Requested Action:**

Impact 1,745 sq ft in order to remove the existing structure and rebuild in similiar footprint with a deck extending 11ft and 5in toward the water.

\*\*\*\*\*

**APPROVE PERMIT:**

Impact 1,745 sq ft in order to remove the existing structure and rebuild in similiar footprint with a deck extending 11ft and 5in toward the water.

**With Conditions:**

1. All work shall be in accordance with plans by James M. O'niel LLC dated November 10, 2012 and received by the NH Department of Environmental Services (DES) on December 11, 2012.
2. No more than 19.4% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
3. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
4. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
5. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or

- contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
6. Any fill used shall be clean sand, gravel, rock, or other suitable material.
  7. This permit shall not preclude DES from taking any enforcement or revocation action if DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

**2012-03123                      SUNHAVEN PROPERTIES LLC**  
**SUNAPEE   Sugar River**

Requested Action:

Impact 5,814 sq ft in order to demo existing apartment building and barn to be replaced with commercial building.

\*\*\*\*\*

APPROVE PERMIT:

Impact 5,814 sq ft in order to demo existing apartment building and barn to be replaced with commercial building.

With Conditions:

1. All work shall be in accordance with plans by Pierre J. Bedard and Associates, PC dated November 26, 2012 and received by the NH Department of Environmental Services (DES) on November 30, 2012.
2. No more than 19.9% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
3. At least 7,800 sq ft of the Natural Woodland Buffer beyond the primary building setback must remain in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
4. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
5. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
6. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
7. Any fill used shall be clean sand, gravel, rock, or other suitable material.
8. This permit shall not preclude DES from taking any enforcement or revocation action if DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

**2012-03126                      DOWNING, CHERYL/MARK**  
**BARRINGTON   Swains Lake**

Requested Action:

Impact 6,170 sq ft in order to construct an addition to an existing dwelling and complete associated improvements.

\*\*\*\*\*

APPROVE PERMIT:

Impact 6,170 sq ft in order to construct an addition to an existing dwelling with associated improvements.

With Conditions:

1. All work shall be in accordance with plans by Benchmark Engineering, Inc. dated November 8, 2012 and received by the NH Department of Environmental Services (DES) on November 8, 2012.
2. This permit is contingent on approval by the DES Subsurface Systems Bureau.
3. No more than 31.2% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
4. At least 765 sq ft of the Natural Woodland Buffer beyond the primary building setback must remain in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).

5. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
6. The proposed stormwater management plan shall be designed, installed and maintained to effectively absorb and infiltrate stormwater.
7. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
8. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
9. Any fill used shall be clean sand, gravel, rock, or other suitable material.
10. This permit shall not preclude DES from taking any enforcement or revocation action if DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

With Findings:

Requirement for nonconforming structure with impervious area exceeding 30 percent.

1. The proposed structure addition is located further from the reference line than the existing structure, RSA 483-B:11.
2. The 50 points per grid exceed the maximum required, RSA 483-B:9(V)(g)(3).
3. A stormwater management system is proposed that consist of a drywell and rain garden, RSA 483-B:9(V)(g)(3).

**2012-03129                      KENT ISLAND TRUST**  
**MOULTONBOROUGH   Squam Lake**

Requested Action:

Impact 2,240 sq ft in order to construct two additions to the north and south side of existing residence, install a landing and walkway at the entry of residence, and install a septic system if required.

\*\*\*\*\*

APPROVE PERMIT:

Impact 2,240 sq ft in order to construct two additions to the north and south side of existing residence, install a landing and walkway at the entry of residence, and install a septic system if required.

With Conditions:

1. All work shall be in accordance with plans by Ames Associates dated November 16, 2012 and received by the NH Department of Environmental Services (DES) on December 6, 2012.
2. No more than 15.8% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
3. At least 2,683 sq ft of the Natural Woodland Buffer beyond the primary building setback must remain in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
4. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
5. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
6. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
7. Any fill used shall be clean sand, gravel, rock, or other suitable material.
8. This permit shall not preclude DES from taking any enforcement or revocation action if DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

**2012-03134                      MCCARTHY, FRANCIS**  
**CLARKSVILLE   Lake Francis**

Requested Action:

Impact 6,500 sq ft in order to construct a 2 bedroom house, install well and septic system.

\*\*\*\*\*

APPROVE PERMIT:

Impact 6,500 sq ft in order to construct a 2 bedroom house, install well and septic system.

With Conditions:

1. All work shall be in accordance with plans by Leo W. MacKinnon Jr. dated November 20, 2012 and received by the NH Department of Environmental Services (DES) on December 3, 2012.
2. This permit is contingent on approval by the DES Subsurface Systems Bureau.
3. No more than 13.8% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
4. At least 2,000 sq ft of the Natural Woodland Buffer beyond the primary building setback must remain in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
5. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
6. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
7. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
8. Any fill used shall be clean sand, gravel, rock, or other suitable material.

2012-03138

POULIN, DANA

NEW DURHAM Merrymeeting Lake

Requested Action:

Impact 2,407 sq ft in order to construct two retaining walls, two drywells, and a patio.

\*\*\*\*\*

APPROVE PERMIT:

Impact 2,407 sq ft in order to construct two retaining walls, two drywells, and a patio.

With Conditions:

1. All work shall be in accordance with plans by Varney Engineering, LLC dated November 17, 2012 and received by the NH Department of Environmental Services (DES) on December 3, 2012.
2. No more than 28.5% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
3. At least 1,859 sq ft of the Natural Woodland Buffer beyond the primary building setback must remain in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
4. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
5. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
6. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
7. Any fill used shall be clean sand, gravel, rock, or other suitable material.
8. This permit shall not preclude DES from taking any enforcement or revocation action if DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

**2012-03156                      BRODIE, MURIEL/PETER**  
**MEREDITH   Lake Winnepesaukee**

**Requested Action:**

Impact 2,910 sq ft in order to remove an existing non-conforming residence and construct a new residence in the same location, reduce parking area footprint, install stormwater management and plant native shrubs and trees within the waterfront buffer.

\*\*\*\*\*

**APPROVE PERMIT:**

Impact 2,910 sq ft in order to remove an existing non-conforming residence and construct a new residence in the same location, reduce parking area footprint, install stormwater management and plant native shrubs and trees within the waterfront buffer.

**With Conditions:**

1. All work shall be in accordance with plans by Ames Associates dated November 11, 2012 and received by the NH Department of Environmental Services (DES) on December 6, 2012.
2. This permit is contingent on approval by the DES Subsurface Systems Bureau.
3. No more than 35.4% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
4. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
5. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
6. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
7. Any fill used shall be clean sand, gravel, rock, or other suitable material.
8. This permit shall not preclude DES from taking any enforcement or revocation action if DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

**CSPA PERMIT W/WAIVER**

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**2012-03133                      ROY, SCOTT**  
**WINDHAM   Cobbett's Pond**

**Requested Action:**

Impact 5,400 sq ft in order to raze existing house adjacent to the shoreline of Cobbett's Pond and construct a new two bedroom house on the west side of the property.

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**APPROVE PERMIT:**

Impact 5,400 sq ft in order to raze existing house adjacent to the shoreline of Cobbett's Pond and construct a new two bedroom house on the west side of the property.

**With Conditions:**

1. All work shall be in accordance with plans by Meridian Land Services, Inc. dated November 23, 2012 and received by the NH Department of Environmental Services (DES) on December 3, 2012.
2. No more than 37% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.



3. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
4. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
5. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
6. Any fill used shall be clean sand, gravel, rock, or other suitable material.
7. This permit shall not preclude DES from taking any enforcement or revocation action if DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

With Findings:

1. Owner proposes to remove house in waterfront buffer and relocate more than 150 ft from the reference line.
2. Pervious pavers to be used to reduce impervious area from 37.8% to 37.0%.
3. A 4ft diameter drywell is being installed to control stormwater.

